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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/289,855	04/12/1999	TAISUKE KOBAYASHI	B422-134	9129
26272 7590 12/05/2003				
ROBIN BLECKER & DALEY 2ND FLOOR 330 MADISON AVENUE NEW YORK, NY 10017				
EXAMINER NGUYEN, LUONG TRUNG				
ART UNIT PAPER NUMBER				
2612				

DATE MAILED: 12/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/289,855

Applicant(s)

KOBAYASHI ET AL.

Examiner

LUONG T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,9-12 and 17-20 is/are allowed.
- 6) ☒ Claim(s) 5-8,13-16 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Objections*

2. Claims 17-24 are objected to because of the following informalities:

Claim 17 (line 5), claim 21 (line 5), "the camera" should be changed to --a camera--.

Claim 17 (line 13), "the network" should be changed to --a network--.

Claim 23 (line 4), "the camera operation apparatus" should be changed to --a camera operation apparatus.

Claim 23 (line 6), "a camera operation apparatus" should be changed to --the camera operation apparatus.

Claims 18-20 are objected as being dependent on claim 17.

Claim 22 is objected as being dependent on claim 21.

Claim 24 is objected as being dependent on claim 23.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

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3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 (lines 5-6) recites the limitation "said" in "said display means". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 7-8, 15-16, 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono (US 6,133,941).

Regarding claim 7, Ono discloses a camera server (camera control server 11, figure 1) for controlling a camera on the basis of a control instruction (camera control request, column 5, lines 35-40) received from a camera operation apparatus (camera control client 101, figure 1) via a network (network 12, figure 1), comprising determination means for determining whether the

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camera operation apparatus can control the camera when a camera control right request is received from said camera operation apparatus (camera control server 11 manages control requests from camera control clients, and controls grant of the control authority to each client (figure 1, column 5, lines 15-20); output means for outputting a camera control right obtaining notice to the camera operation apparatus and information associated with the kind of camera together with the notice when said determination means determined that the camera operation apparatus can control the camera (figures 1, 5A-5C, column 6, lines 1-37, camera control server 11 issues to each client camera attitude message and a control authority message which indicates “control authority is possessed (can control the camera)”.

Regarding claim 8, Ono discloses wherein said output means outputs a notice representing that the control right for the camera cannot be obtained to the camera operation apparatus and information associated with the kind of camera together with the notice when said determination means determined that the camera operation apparatus can operate the camera (figures 1, 5A-5C, column 6, lines 1-37, camera control server 11 issues to each client camera attitude message and a control authority message which indicates “no control authority (cannot control the camera)”.

Regarding claims 15-16, claims 15-16 are method claims of the apparatus claims 7-8. Therefore, claims 15-16 are rejected for the reason given respect to claims 7-8, respectively.

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Regarding claims 23-24, all the limitations are contained in claims 15-16, except for the feature "storage medium" is disclosed as RAM 104 (column 10, line 61 – column 11, line 10). Therefore, claims 23-24 are rejected for the reason given respect to claims 15-16, respectively.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-6, 13-14, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono (US 6,133,941) in view of Ito (US 5,745,161).

Regarding claim 5, Ono discloses a camera operation apparatus for operating a camera via network, comprising storage means for storing at least one module for generating a control command for the camera in accordance with each kind of camera (external storage device 307 stores control program, figure 2, column 4, line 66 – column 5, line 9); recognition means for recognizing information associated with a kind of camera subject to control (the operator at each client can recognize the control authority relationship with the server (camera), column 13, lines 59-63); selection means for selecting a module for generating the control command for the camera from said at least one module, on the basis of the information associated with the kind of camera recognized by said recognition means (figure 10 discloses that the user can select scroll bar 203 for panning, or scroll bar 204 for tilting, or scroll bar 205 for zooming, column 10, lines

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1-18); display means for displaying a window for operating the camera, on the basis of the module selected by said selection means (video display window 201, figure 10, column 10, lines 1-18).

Ono fails to specifically disclose wherein said display means changes at least display contents for operation in said window in accordance with a kind of camera. However, Ito discloses a video conference system, in which the color of the frame of the selected window is changed (figure 5, column 5, lines 30-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Ono by the teaching of Ito in order to let the operator who remotely control plurality of cameras can recognize which camera is controlled.

Regarding claim 6, Ono discloses said camera operation apparatus allows at least one of panning and tilting operation of the camera (column 4, lines 19-23).

Regarding claims 13-14, claims 13-14 are method claims of the apparatus claims 5-6. Therefore, claims 13-14 are rejected for the reason given respect to claims 5-6, respectively.

Regarding claims 21-22, all the limitations are contained in claims 13-14, except for the feature “storage medium” is disclosed as RAM 104 (column 10, line 61 – column 11, line 10). Therefore, claims 21-22 are rejected for the reason given respect to claims 13-14, respectively.

*Allowable Subject Matter*

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9. Claims 1-4, 9-12, 17-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art of the record fail to show or fairly suggest a camera operation apparatus for operating a camera via a network, comprising module request means, connected to the network fro requesting through the network, transmission of the module corresponding to the kind of camera recognized by said recognition means to a device having the module corresponding to the kind of camera recognized by said recognition means, when said camera operation apparatus has no module corresponding to the kind of camera recognized by said recognition means.

Claims 2-4 are allowable for the reason given respect to claim 1.

Claims 9-12 are method claims of apparatus claims 1-4. Therefore, claims 9-12 are allowable for the reason given respect to claims 1-4, respectively.

Claims 17-20 are equivalent to claims 9-12, respectively. Therefore, claims 17-20 are allowable for the reason given respect to claims 9-12, respectively.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kotani et al. (US 6,101,536) disclose communication apparatus and communication displaying method with remote monitoring function.



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Sasaki et al. (US 6,122,005) disclose camera control system having list of camera names updated in accordance with frequency of use and other ease of use features.

Kawai et al. (US 6,137,485) disclose image transmission method and apparatus, and image transmission system including the apparatus.

Kawai et al. (US 6,414,716) disclose method and apparatus for controlling an imaging apparatus, imaging operation control system, and storage medium storing a program implementing such a method.

Suzuki et al. (US 6,608,649) disclose camera system, control method, communication terminal, and program storage media, for selectively authorizing remote map display using map listing.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Luong T Nguyen** whose telephone number is (703) 308-9297. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber** can be reached on (703) 305-4929.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to : (703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (703) 306-0377.

LN LN  
November 29, 2003

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600